

1 STEVEN G. KALAR
Federal Public Defender
2 JODI LINKER
Assistant Federal Public Defender
3 19th Floor Federal Building
450 Golden Gate Avenue
4 San Francisco, CA 94102
Telephone: (415) 436-7700
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Counsel for Defendant GARCIA ORTEGA
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7
8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE NORTHERN DISTRICT OF CALIFORNIA
10

11 UNITED STATES OF AMERICA,)	No. CR-13-058 EMC
)	
12 Plaintiff,)	STIPULATION AND [PROPOSED]
)	ORDER TO CONTINUE
13)	
14 v.)	
)	
15 RICARDO GARCIA ORTEGA,)	
)	
16 Defendant.)	
)	

17
18 The parties jointly request that, subject to the Court's approval, the status conference
19 and/or change of plea hearing presently set for March 13, 2013 be continued to April 3, 2013 at
20 2:15 pm.

21 At the last appearance, the Court set the above-captioned matter over until March 13,
22 2013 for possible change of plea. Defense counsel has been investigating certain matters and has
23 requested that government counsel consider an issue related to Mr. Garcia-Ortega's prior
24 removal. The parties are in negotiations over a potential resolution of the matter in light of these
25 issues, and require more time to complete those negotiations, as well as to further investigate the
26 case. Accordingly, the parties jointly request that the appearance be continued from March 13,

1 2013 to April 3, 2013.

2 For the above reasons, the parties stipulate there is good cause – taking into account the
3 public interest in the prompt disposition of this case – to exclude the time February 28, 2013 to
4 April 3, 2013 from computation under the Speedy Trial Act, and that failing to exclude that time
5 would unreasonably deny the defendant and his counsel the reasonable time necessary for
6 effective preparation and continuity of counsel, taking into account the exercise of due diligence.
7 18 U.S.C. § 3161(h)(7)(A) and (B)(iv). The parties further agree that the ends of justice would be
8 served by excluding the time from February 28, 2013 to April 3, 2013 from computation under
9 the Speedy Trial Act and that the need for the exclusion outweighs the best interests of the public
10 and the defendant in a speedy trial.

11 IT IS SO STIPULATED.

12
13 3/11/13
14 DATED _____

s/
MARK KANG
Special Assistant United States Attorney

15
16 3/11/13
17 DATED _____

s/
JODI LINKER
Assistant Federal Public Defender

18
19 IT IS SO ORDERED.

20 3/12/13
21 DATED _____

